UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RANDA JAAFAR,

Plaintiff,

v.

Case Number
Honorable

EQUIFAX INFORMATION SERVICES, LLC,

Defendant.

______________________________________/

HADOUS|CO. PLLC
Nemer N. Hadous (CA #264431)
24725 W. 12 Mile Rd., Ste. 110
Southfield, Michigan 48034
Phone: (248) 663-5155
Email: nhadous@hadousco.com
Attorneys for Plaintiff Randa Jaafar

FAIRMAX LAW, PLLC
Michael Jaafar (P-69782)
23400 Michigan Avenue, Ste. 110
Dearborn, Michigan 48124
Phone: (313) 846-6400
Email: mike@fairmaxlaw.com
Attorneys for Plaintiff Randa Jaafar

COMPLAINT

Plaintiff Randa Jaafar, ("Plaintiff"), by counsel, brings this action for damages against Defendant Equifax Information Services, LLC ("Equifax") ("Defendant"), alleging violations of the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. § 1681 et seq.

JURISDICTION AND VENUE

1. This Court has federal question jurisdiction because this action arises out of violations of federal law. 28 U.S.C. §§ 1331. Jurisdiction is also proper pursuant to 15 U.S.C. 1681p (FCRA) (permitting actions to enforce liability in an appropriate United States District Court).

2. Venue in the United States District Court for the Eastern District of Michigan is proper because Defendant regularly transact business within this District and is otherwise subject to personal jurisdiction in this District.

PARTIES

3. Plaintiff incorporates herein by reference all of the above paragraphs of this Complaint as though fully set forth at length herein.

4. Plaintiff is a citizen whose domicile is Michigan.

5. Equifax is a corporation organized under the laws of the State of Georgia. Equifax can be served with process through its registered agent: CSC-Lawyers Incorporating Service (Company), 601 Abbott Rd., Suite 2345, Lansing, Michigan 48823.

6. During all time pertinent to this Complaint, Equifax was authorized to conduct business in the State of Michigan and conducted business in Michigan on a routine and systematic basis.

7. Equifax is a "consumer reporting agency," as defined by 15 U.S.C. §1681a(f) of the FCRA. During all time pertinent to this Complaint, Equifax regularly furnished consumer reports to third parties for monetary compensation, fees and other dues.

8. During all time pertinent to this Complaint, Defendant acted through authorized agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and/or insurers.

9. Any violations by Defendant as set forth in this Complaint were not in good faith, knowing, willful, and intentional, and Defendant did not maintain procedures reasonably adapted to avoid any such violation.

FACTUAL ALLEGATIONS

10. Plaintiff incorporates herein by reference all of the above paragraphs of this Complaint as though fully set forth at length herein.

11. Plaintiff is a medical doctor with federal student loans, including the following two loans:

Loan Amount: $5,179 Date: 3/12/2002

Loan Amount: $8,500 Date: 11/08/2002

12. Nelnet is the current student loan servicer of these loans.

13. Plaintiff maintained timely monthly payments on her student loan accounts.

14. Equifax reports two separate tradelines for each student loan account on Plaintiff's consumer disclosure (credit report).

15. These tradelines are identified under the following account names:

- US Department of Edu Afsa
- Dept of Ed/Nelnet

16. The US Department of Edu Afsa tradelines incorrectly report as "120 days past due."

17. The US Department of Edu Afsa tradelines also contain alleged 90 and 120 days' past due payment histories that are incorrect and inaccurate.

18. Plaintiff formally disputed these tradelines with Equifax by sending a letter advising Equifax that the past due status and payment history are incorrect and inaccurate, and requested correction of this information.

19. Equifax failed correct Plaintiff's consumer report.

20. Consequently, Plaintiff has suffered damages, including credit impairment, higher financing charges, and higher insurance premiums.

COUNT ONE
VIOLATION OF FAIR CREDIT REPORTING ACT, 15 U.S.C. § 1681
Equifax Information Services, LLC

21. Plaintiff incorporates herein by reference all of the above paragraphs of this Complaint as though fully set forth herein at length.

22. The United States Congress has found the banking system is dependent upon fair and accurate credit reporting. Inaccurate credit reports directly impair the efficiency of the banking system, and unfair credit reporting methods undermine the public confidence, which is essential to the continual functioning of the banking system. Congress enacted the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq., to ensure fair and accurate reporting, promote efficiency in the banking system, and protect consumer privacy.

23. The FCRA seeks to ensure consumer reporting agencies exercise their grave responsibilities with fairness, impartiality, and a respect for the consumer's right to privacy because consumer reporting agencies have assumed such a vital role in assembling and evaluating consumer credit and other consumer information. The FCRA also imposes duties on the sources that provide credit information to credit reporting agencies, called "furnishers."

24. Equifax violated 15 U.S.C. §§ 1681e(b) by failing to use reasonable procedures to ensure maximum possible accuracy in the preparation of Plaintiff’s consumer disclosure. Equifax permits furnishers report multiple tradelines for the same accounts, including collection accounts and servicer accounts, and then fails to accurately or correctly report or update these accounts when they are transferred, sold, closed, or discharged through bankruptcy.

25. Consequently, these consumer disclosures, including Plaintiff's consumer disclosure, include harmful redundancies that are inaccurate, misleading, and do not reflect the status of the accounts.

26. Equifax also violated 15 U.S.C. §§ 1681(i) by failing to perform a reasonable reinvestigation of Plaintiff's dispute, even though Plaintiff provided Equifax the necessary information regarding the incorrectly reported items, and the inaccuracies are evident on the face of her consumer disclosure.

27. Equifax unreasonably refused to take corrective measures required by the FCRA to correct, update, and/or remove these inaccuracies from Plaintiff's credit report.

28. Equifax is a direct and proximate cause, as well as a substantial factor in causing damages and harm to Plaintiff.

29. Consequently, Equifax is liable for statutory damages, punitive damages, attorneys' fees, costs, as well as other such relief permitted by 15 U.S.C. § 1681n.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter judgment against Defendant for the following:

Fair Credit Reporting Act Violations

(a) Actual and statutory damages pursuant to 15 U.S.C. § 1681n(a)(1) and § 1681o(a)(1);

(b) Punitive damages as the Court may allow pursuant to 15 U.S.C. §§ 1681n(a)(2);

(c) Costs and reasonable attorney fees pursuant to 15 U.S.C. § 1681n(a)(3) and § 1681o(a)(1);

(d) Such other and further relief as this Honorable Court may deem just and proper, including post-judgment interest.

JURY DEMAND

Plaintiff hereby demands jury trial on all issues so triable.

RESPECTFULLY SUBMITTED this 4th day of October 2017,

HADOUS|CO. PLLC

By: /s/Nemer N. Hadous
Nemer N. Hadous (CA #264431)
Attorney for Plaintiff Randa Jaafar